

**BY ORDER OF THE  
THE SECRETARY OF THE AIR FORCE**

**AIR FORCE POLICY DIRECTIVE 71-1**

**6 JANUARY 2010**

*Incorporating Through Change 2, 30 September 2011*

***Special Investigations***

**CRIMINAL INVESTIGATIONS AND  
COUNTERINTELLIGENCE**



**COMPLIANCE WITH THIS PUBLICATION IS MANDATORY**

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This Air Force Policy Directive implements DoD Instruction O-2000.22, *Designation and Physical Protection of DoD High Risk Personnel (HRP)*; DoD Instruction 3305.11, *DoD Counterintelligence (CI) Training*; DoD Instruction 5030.34, *Agreement Between the United States Secret Service and the Department of Defense Concerning Protection of the President and Other Officials*; DoD Directive 5200.27, *Acquisition of Information Concerning Persons and Organizations not Affiliated with the Department of Defense*; DoD Instruction 5200.39, *Critical Program Information (CPI) Protection Within the Department of Defense*; DoD Directive 5205.15E, *DoD Forensic Enterprise (DFE)*; DoD Directive 5210.48, *Polygraph and Credibility Assessment Program*; DoD Directive O-5240.02, *Counterintelligence*; DoD Instruction 5240.04, *Counterintelligence (CI) Investigations*; DoD Instruction 5240.05, *Technical Surveillance Countermeasures (TSCM) Program*; DoD Instruction 5240.6, *Counterintelligence (CI) Awareness, Briefing, and Reporting Programs*; DoD Instruction S-5240.09, *Offensive Counterintelligence Operations (U)*; DoD Instruction 5240.10, *Counterintelligence Support to the Combatant Commands and the Defense Agencies*; DoD Instruction S-5240.15, *The Force Protection Response Group*; DoD Instruction S-5240.17, *DoD Counterintelligence Collection*; DoD Instruction 5240.18, *Counterintelligence Analysis and Production*; DoD Instruction 5240.19, *Counterintelligence Support to the Defense Critical Infrastructure Program*; DoD Instruction 5400.15, *Guidance on Obtaining Information from Financial Institutions*; DoD Instruction 5505.2, *Criminal Investigations of Fraud Offenses*; DoD Instruction 5505.3, *Initiation of Investigations by Military Criminal Investigative Organizations*; DoD Instruction 5505.7, *Titling and Indexing Subjects of Criminal Investigations in the Department of Defense*; DoD Instruction 5505.8, *Defense Criminal Investigative Organizations and Other DoD Law Enforcement Organizations Investigations of Sexual Misconduct*; DoD Directive 5505.9,

*Interception of Wire, Electronic, and Oral Communication for Law Enforcement*; DoD Instruction 5505.10, *Investigation of Noncombat Deaths of Active Duty members of the Armed Forces*; DoD Instruction 5505.11, *Fingerprint Card and Final Disposition Report Submission Requirements*; DoD Directive 5505.13E, *DoD Executive Agent (EA) for the DoD Cyber Crime Center (DC3)*; DoD Instruction 5525.07, *Implementation of the Memorandum of Understanding Between the Department of Justice and the Department of Defense Relating to the Investigation and Prosecution of Certain Crimes*; DoD Instruction 5525.12, *Implementation of the Law Enforcement Officers Safety Act of 2004*. Refer recommended changes and questions about this publication to the Office of Primary Responsibility (OPR) using the AF Form 847, Recommendation for Change of Publication; route AF Form 847s from the field through Major Command (MAJCOM) publications/forms managers. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with AFMAN 33-363, Management of Records, and disposed of in accordance with the Air Force Records Disposition Schedule (RDS) located at <https://www.my.af.mil/afirms/afirms/afirms/rims.cfm>. This publication applies to Air Force Reserve Command (AFRC) Units, the Air National Guard (ANG), and the Civil Air Patrol (CAP) performing an Air Force assigned mission. This instruction requires the collection and maintenance of information protected by the Privacy Act of 1974. The authority to collect and maintain this information exists in E.O. 10450, Security Requirements for Government Employment, and Title 10, United States Code (U.S.C.), Section 8013. Systems of Records Notice F071 AFOSI C, Criminal Records, applies.

## **SUMMARY OF CHANGES**

Interim Change 2 implements DoD Directive 5205.15E, *DoD Forensic Enterprise*, which establishes policy and assigns responsibilities within the DoD to develop and maintain an enduring, holistic, global forensic capacity to support the full range of military operations (ROMO). The DFE consists of those resources, assets, and processes that provide forensic science analysis linking persons, places, things, and events. These linkages are made in both traditional law-enforcement and medical purviews, as well as in the expeditionary environment. The DFE supports numerous customers, including military criminal investigators, medical examiners, joint force commanders (JFCs), and criminal-intelligence and intelligence analysts. It establishes the Forensic Executive Committee (EXCOM) to coordinate the activities of the DFE. It further designates the Secretary of the Air Force as the DoD EA for Digital and Multimedia Forensics for those forensic disciplines relating to computer and electronic device forensics, audio forensics, image forensics, and video analysis. Margin bar indicates newly revised material.

**1. Responsibilities.** Criminal activity and intelligence operations against the Air Force threaten national security. To protect resources and personnel, the Air Force must provide security commensurate with the importance of the assets. The Air Force must thoroughly counter all threats posed against it.

### **1.1. Policy. Air Force will:**

1.1.1. Thoroughly investigate allegations of criminal activity involving Air Force personnel and resources and refer them to the appropriate authority for action.

1.1.2. Cooperate with civilian law enforcement officials to the extent practical and in accordance with the Posse Comitatus Act, Title 18 United States Code, Section 1385; Military Cooperation with Civilian Law Enforcement Officials, Title 10 United States Code, Sections 371 through 378; and the Economy Act, Title 31 United States Code section 1535.

1.1.3. Maintain effective working relationships with the Department of Justice (DoJ) in the investigation and prosecution of crimes involving DoD programs, operations, or personnel, and will notify DoJ entities when required by DoD Instruction 5525.07, *Implementation of the Memorandum of Understanding Between the Department of Justice and the Department of Defense Relating to the Investigation and Prosecution of Certain Crimes*.

1.1.4. Conduct, manage and coordinate a counterintelligence (CI) awareness and briefing program.

1.1.5. Support and provide information to the US Secret Service in executing its statutory protective responsibilities per DoD Instruction 5030.34, *Agreement Between the United States Secret Service and the Department of Defense Concerning Protection of the President and Other Officials*.

1.1.6. Within limits set by the Congress, fund emergency and extraordinary expenses to further the counterintelligence and criminal investigative missions.

1.1.7. Coordinate acquisition, security, intelligence, and counterintelligence activities to protect critical program information (CPI).

1.1.8. Obtain information from financial institutions as necessary to support law enforcement, CI, and personnel security investigations as permitted by law and DoD Instruction.

1.1.9. Report offender criminal history data to the Criminal Justice Information Services (CJIS) Division of the Federal Bureau of Investigation (FBI) for inclusion in National Crime Information Center (NCIC) criminal history databases per DoD Instruction 5505.11, *Fingerprint Card and Final Disposition Report Submission Requirement*.

1.1.10. Report criminal incident data to the Defense Incident Based Reporting System (DIBRS) per DoD Directive 7730.47, *Defense Incident-Based Reporting System (DIBRS)*.

1.1.11. Conduct or monitor all significant investigations of fraud or corruption related to Air Force procurement activities.

1.1.12. Provide information on investigative activities to DoD/IG for inclusion in the Inspector General United States Department of Defense Semiannual Report to the Congress.

1.1.13. Investigate all noncombat deaths of members of the Armed Forces on active duty, not medically determined to be from natural causes, as potential homicides until evidence establishes otherwise.

1.1.14. Immediately refer to AFOSI all incidents that fall within AFOSI's investigative purview.

1.1.15. Not allow Air Force commanders to reassign, order or permit any other type of investigation, or take any other official administrative, personnel, or legal action against someone under investigation by AFOSI before coordinating with AFOSI and the servicing Staff Judge Advocate (SJA).

1.1.16. Establish procedures at installations for handling personnel, medical, or other administrative and electronic records of AFOSI special agents to prevent unauthorized disclosure of their rank.

1.1.17. Appoint a Force Protection Response Group (FPRG) coordinator for the Air Force to coordinate with the Geographic Combatant Commands in accordance with DoD Instruction 5240.15, *The Force Protection Response Group*.

1.1.18. Conduct CI collection to support valid requirements in coordination with the Defense CI and HUMINT Center (DCHC), to include their mission taskings. Ensure CI requirements are included in training and CI collection requirements are entered into the designated CI information system.

1.1.19. Coordinate offensive counterintelligence operations (OFCO) proposals and activity, and establish briefing requirements with the supported and supporting combatant commands.

1.1.20. Establish, resource and manage an organizational CI analysis and production program in coordination with the DoD CI Analysis and Production Coordinator.

1.1.21. Provide basic, specialized, and advanced CI training through approved DoD CI training courses.

1.1.22. Function as Executive Agent (EA) of the DoD Cyber Crime Center (DC3). Establish and maintain DC3 as an entity within the Department of the Air Force. Provide funding and manpower in coordination with the ASD(NII)/DoD CIO and the Director, DC3. Appoint the director of DC3.

1.1.23. Function as EA for Digital and Multimedia (D/MM) Forensics in accordance with DoDD 5205.15E, for those forensic disciplines relating to computer and electronic device forensics, audio forensics, image analysis, and video analysis.

## **1.2. The Secretary of the Air Force, Inspector General (SAF/IG):**

1.2.1. Supervises, directs and guides AFOSI.

1.2.2. Designates one general officer or civilian equivalent that provides or requires forensic capabilities and support, and can make strategic management decisions related to forensic activities to participate in the Forensic EXCOM, pursuant to DoDD 5205.15E.

## **1.3. The Secretary of the Air Force, Special Investigations Directorate (SAF/IGX):**

1.3.1. Supports the Inspector General in developing and overseeing policies, plans, programs, and budgets for the Air Force Security and Investigative Activities Programs (S&IA), the Counterintelligence (CI) Program and DC3 Programs.

## **1.4. The Air Force Office of Special Investigations (AFOSI):**

1.4.1. Is a field operating agency under the direction and guidance of the Air Force Inspector General. It performs as a federal law enforcement agency with responsibility

for conducting independent criminal investigations, counterintelligence activities, and specialized investigative and force protection support for the Air Force under the direction of the Commander, AFOSI.

1.4.2. Will notify the SECAF in writing of any instance in which a commander, or any other Air Force official, attempts to impede an investigation or limit the use of investigative techniques through the use of their authority. Only the SECAF may delay, suspend or terminate an investigation.

1.4.3. Is the sole Air Force agency responsible for conducting liaison with federal, state, local and foreign nation law enforcement, counterintelligence and security agencies for matters falling within the AFOSI mission.

1.4.4. Authorized to apprehend persons subject to the UCMJ as well as civilians accompanying the force overseas, confine them, and return them to the United States for certain U.S. federal crimes.

1.4.5. Seeks and executes civilian search warrants for both UCMJ and non-UCMJ matters. AFOSI civilian special agents have authority to execute search warrants, and warrant and warrantless arrests of civilians in matters related to the AFOSI mission.

1.4.6. Is authorized to conduct fraud investigations against civilian contractors related to DoD programs and personnel.

1.4.7. Is the executive agency for the coordination of criminal investigative support to AAFES.

1.4.8. Is a combat-ready military organization that provides the Air Force a wartime capability to conduct, in hostile and uncertain environments, counter-threat operations to find, fix, track, and neutralize enemy threats.

1.4.9. Is the sole Air Force organization authorized to conduct counterintelligence and counterespionage investigations, collections and operations.

1.4.10. Notifies and refers to the FBI those incidents and investigative matters meeting the criteria in DoD Instruction 5240.04, *Counterintelligence Investigations*.

1.4.11. Coordinates CI investigations overseas according to Intelligence Community Directives.

1.4.12. Provides Combatant Commands counterintelligence support.

1.4.13. Provides counterintelligence functional services such as conducting Human Intelligence Vulnerability Assessments (HVAs), Antiterrorism Surveys, Counterintelligence Force Support Operations, and Threat Assessments.

1.4.14. Conducts CI Support to Research, Development and Acquisition to include technology transfer violations and investigations.

1.4.15. Establishes procedures for the Technical Services Program and is the sole Air Force agency authorized to intercept electronic, oral or wire communications; install or use pen register and trap and trace devices; use electronic or optical enhancements for surveillance; conduct covert video and photographic surveillance activities; and/or track

individuals or items using technical services and surveillance in CI and criminal investigations.

1.4.16. Manages the Air Force Technical Surveillance Countermeasures Program.

1.4.17. Establishes procedures for, and is the sole Air Force agency authorized to perform Polygraph and Credibility Assessment (PCA) examinations.

1.4.18. Is the sole Air Force organization authorized to investigate intrusions into and sabotage of Air Force owned/operated Department of Defense computer systems.

1.4.19. Is the Air Force's Protection-Providing Organization (PPO) for the protection of DoD High Risk Personnel.

1.4.20. Provides specialized support to Special Access Programs.

1.4.21. Accredits special agents and issues them badges and credentials for the purpose of official identification. With these credentials, AFOSI special agents are authorized to:

1.4.21.1. Enter any Air Force installation or off-limits areas in the furtherance of an AFOSI mission unless Air Force security publications state otherwise.

1.4.21.2. Access all Air Force records, property, and people, except as limited by law, instruction, and security publications.

1.4.21.3. Carry concealed or unconcealed US Government-issued firearms for which they are trained and qualified.

1.4.21.4. Wear civilian clothing while performing their duties.

1.4.22. Executes the DoD counterdrug strategy within the Air Force.

1.4.23. Investigates drug offenses by individuals not subject to the UCMJ who allegedly introduce illegal drugs to the installation or who allegedly commit a drug offense in conjunction with an Armed Forces member.

1.4.24. Investigates allegations of consensual sexual misconduct between adults only when approved in writing by the AFOSI Commander, Vice Commander or Executive Director.

1.4.25. Indexes subjects of criminal investigations in the Defense Central Index of Investigations (DCII) after a determination that credible information exists. Establishes a written process to review the appropriateness of the indexing decision when that decision is challenged by the subject.

1.4.26. Complies with the provisions of the Law Enforcement Officers Safety Act of 2004 when executing provisions with respect to qualified current and retired law enforcement officers.

1.4.27. Is delegated by SAF/IG to manage and is accountable for the expenditure of emergency and extraordinary funds in support of the criminal and counterintelligence missions.

1.4.28. Operates the U.S. Air Force Special Investigations Academy.

1.4.29. Provides quarterly and annual reports of sexual assault involving members of the Armed Forces to the DoD Sexual Assault Prevention and Response Office.

1.4.30. Provides program oversight, maintains ADCON over DC3 and transfers funds earmarked for DC3 to maintain functions and responsibilities.

2. This policy directive is the antecedent for implementation instructions contained in AFI 71-101V1, *Criminal Investigations*; AFI 71-101V2, *Protective Service Matters*; AFI 71-10V3, *Air Force Technical Service Countermeasures Program*; and AFI 71-101V4, *Counterintelligence*.

MICHAEL B. DONLEY  
Secretary of the Air Force

**Attachment 1****GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

AF Policy Directive 16-7, *Special Access Programs*, 10 March 1993

AF Instruction 16-701, *Special Access Programs*, 1 November 1995

AF Instruction 31-206, *Security Forces Investigations Program*, 16 September 2009

AF Policy Directive 36-60, *Sexual Assault Prevention and Response (SAPR) Program*, 28 March 2008

AF Instruction 36-6001, *Sexual Assault Prevention and Response (SAPR) Program*, 29 September 2008, Interim Change on 30 September 2009

AF Instruction 51-1101, *Air Force Procurement Fraud Remedies Program*, 21 October 2003

AF Instruction 90-301, *Inspector General Complaints Resolution*, 15 May 2008

DoD Instruction O-2000.22, *Designation and Physical Protection of DoD High Risk Personnel (HRP)*, January 22, 2008, Interim Change on 22 Jul 2008

DoD Instruction 3305.11, *DoD Counterintelligence (CI) Training*, 19 March 2007

DoD Instruction 3305.12, *Intelligence and Counterintelligence Training of Non-U.S. Persons*, 25 October 2007

DoD Instruction 5030.34, *Agreement Between the United States Secret Service and the Department of Defense Concerning Protection of the President and Other Officials*, 17 Sep 1986

DoD Directive 5200.27, *Acquisition of Information Concerning Persons and Organizations not Affiliated with the Department of Defense*, 7 January 1980

DoD Instruction 5200.39, *Critical Program Information (CPI) Protection Within the Department of Defense*, 16 July 2008

DoD Directive 5205.07, *Special Access Program (SAP) Policy*, 5 January 2006, interim change on 25 February 2008

DoD Directive 5205.15E, *DoD Forensic Enterprise (DFE)*, 26 April 2011

DoD Directive 5210.48, *Polygraph and Credibility Assessment Program*, 25 January 2007

DoD 5240.1-R, *Procedures Governing the Activities of DoD Intelligence Components that Affect United States Persons*, 1 December 1982

DoD Directive 5240.01, *DoD Intelligence Activities*, 27 August 2007

DoD Directive O-5240.02, *Counterintelligence*, 20 December 2007

DoD Instruction 5240.04, *Counterintelligence (CI) Investigations*, 2 February 2009

DoD Instruction 5240.05, *Technical Surveillance Countermeasures (TSCM) Program*, 22



February 2006

DoD Instruction 5240.6, *Counterintelligence (CI) Awareness, Briefing, and Reporting Programs*, 7 August 2004

DoD Instruction S-5240.09, *Offensive Counterintelligence Operations (U)*, 29 October 2008

DoD Instruction 5240.10, *Counterintelligence Support to the Combatant Commands and the Defense Agencies*, 14 May 2004

DoD Instruction S-5240.15, *The Force Protection Response Group (FPRG)*, 26 August 2005

DoD Instruction 5240.16, *DoD Counterintelligence Functional Services*, 21 May 2005

DoD Instruction S-5240.17, *DoD Counterintelligence Collection*, 12 January 2009

DoD Instruction 5240.18, *Counterintelligence Analysis and Production*, 4 December 2006

DoD Instruction 5240.19, *Counterintelligence Support to the Defense Critical Infrastructure Program*, 27 August 2007

DoD Instruction 5400.15, *Guidance on Obtaining Information from Financial Institutions*, 2 Dec 2004, interim change on 3 July 2007

DoD Instruction 5505.2, *Criminal Investigations of Fraud Offenses*, 6 Feb 03

DoD Instruction 5505.3, *Initiation of Investigations by Military Criminal Investigative Organizations*, 21 June 2002

DoD Instruction 5505.7, *Titling and Indexing Subjects of Criminal Investigations in the Department of Defense*, 7 January 2003

DoD Instruction 5505.8, *Defense Criminal Investigative Organizations and Other DoD Law Enforcement Organizations Investigations of Sexual Misconduct*, 24 January 2005

DoD Directive 5505.9, *Interception of Wire, Electronic, and Oral Communication for Law Enforcement*, April 20 1995

DoD Instruction 5505.10, *Investigation of Noncombat Deaths of Active Duty Members of the Armed Forces*, 31 January 1996

DoD Instruction 5505.11, *Fingerprint Card and Final Disposition Report Submission Requirements*, 20 June 2006

DoD Directive 5505.13E, *DoD Executive Agent (EA) for the DoD Cyber Crime Center (DC3)*, 1 March 2010

DoD Directive 5525.5, *DoD Cooperation with Civilian Law Enforcement Officials*, 15 January 1986, incorporated change on 20 December 1989

DoD Instruction 5525.07, *Implementation of the Memorandum of Understanding Between the Department of Justice and the Department of Defense Relating to the Investigation and*

*Prosecution of Certain Crimes*, 18 June 2007

DoD Instruction 5525.12, *Implementation of the Law Enforcement Officers Safety Act of 2004*, 28 June 2007, incorporated change on 10 December 2007

DoD Instruction 6495.02, *Sexual Assault Prevention and Response Program Procedures*, 23 June 2006 with interim change on 13 November 2008

DoD Instruction 7050.05, *Coordination of Remedies for Fraud and Corruption Related to Procurement Activities*, 4 June 2008

DoD Directive 7730.47, *Defense Incident-Based Reporting System (DIBRS)*, 15 October 1996

DoD 7730.47-M, *Manual for Defense Incident Based Reporting System*, 25 July 2003

DoD Instruction 7750.6, *Information Requirements for Semiannual Report to the Congress*, 27 April 1990

E.O. 10450, *Security Requirements for Government Employees*

10 USC 127, *Emergency and extraordinary expenses*

10 USC 371-378, *Military Cooperation with Civilian Law Enforcement Officials*

10 USC 8013, *Secretary of the Air Force*

10 USC 9027, *Civilian Special Agents of the Office of Special Investigations: Authority to Execute Warrants and Make Arrests*

18 USC 1385, *Use of the Army and Air Force as posse comitatus*

31 USC 1535, *The Economy Act*

### ***Forms Adopted***

AF Form 847, *Recommendation for Change of Publication*, 22 September 2009

### ***Abbreviations and Acronyms***

**AAFES**—Army Air Force Exchange Service

**AFOSI**—Air Force Office of Special Investigations

**DOD/IG**—Department of Defense Inspector General

**FBI**—Federal Bureau of Investigations

**SAF/IG**—The Air Force Inspector General

**SECAF**—Secretary of the Air Force

**TSCM**—Technical Surveillance Countermeasures

**UCMJ**—Uniform Code of Military Justice

### ***Terms***

**Apprehend**— Take a person into custody.

**Arrest**—Restraint of a person by oral or written order not imposed as punishment, directing the person to remain within specified limits.

**Counterintelligence**—Information gathered and activities conducted to protect against espionage, other intelligence activities, sabotage, or assassinations conducted by or on behalf of foreign governments or elements thereof, foreign organizations or foreign persons, or international terrorist activities.

**Counterintelligence Functional Services**—CI activities that support other intelligence or DoD operational activities, providing specialized defensive CI services to identify and counter terrorism, espionage, sabotage and related activities of foreign intelligence services.

**Counterthreat Operations**—The Air Force Office of Special Investigation's (AFOSI) capability to find, fix, track and neutralize the enemy in order to create a sustained permissive environment for air and space operations, as well as provide a safe and secure operating environment. This capability includes, but is not limited to, counterintelligence (CI), criminal investigations, offensive CI operations, liaison, law enforcement, military source operations(MSO), threat assessments, detection, vulnerability assessments, technical services, polygraph, evidence collection, protective service operations (PSO), threat reporting, surveillance, counter surveillance, surveillance detection, tactical questioning, and field interviews.

**Criminal Investigation**—An investigation of possible criminal violations of the United States Code, the Uniform Code of Military Justice, or, when appropriate, state or local statutes or ordinances or foreign law.

**Criminal Offender Data**—The information, including fingerprints, that is recorded on the front and back of a standard Suspect Fingerprint Card (FBI FD 249) and Final Disposition Report (FBI/DoJ R-84), or their electronic data transfer equivalent.

**Defense Clearance and Investigations Index**—A computerized, central index of investigations for all DoD investigative activities managed by the Defense Security Services.

**Defense Forensic Enterprise**—The DoD resources, assets, and processes required to provide forensic capabilities in support of DoD operations.

**Electronic Communication**—Any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature, transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photooptical system that affects interstate or foreign commerce, but does not include the following: any wire or oral communication; any communication made through a tone—only paging device; any communication from a tracking device as defined by 18 U.S.C. 3117; electronic funds transfer information stored by a financial institution in a communications system used for the electronic storage and transfer of funds.

**Interception**—According to 18 U.S.C. 2510(4), the aural or other acquisition of the contents of any wire, electronic, or oral communication through use of any electronic, mechanical, or other device. The term "contents" when used with respect to any wire, oral, or electronic communication, includes any information concerning the substance, purport, or meaning of that communication.

**Oral Communication**—Any oral communication uttered by a person exhibiting an expectation that such communication is not subject to interception under circumstances justifying such expectation, but such term does not include any electronic communication.

**Pen Register**—A device that records or decodes electronic or other impulses which identify the numbers dialed or otherwise transmitted on the telephone line to which such device is attached, but does not include any device used by a provider or customer of a wire or electronic communication service for billing, or recording as an incident to billing, for communications services provided by such a provider, or any device used by a provider or customer of a wire communication service for cost accounting or other like purposes in the ordinary course of its business.

**Polygraph and Credibility Assessment (PCA) Instrumentation**—Technical devices, used in conjunction with associated techniques, that measure or display physiological or behavioral activity that is analyzed in the assessment of an individual's truthfulness.

**Senior Officials**—Active duty, retired, Reserve, or National Guard military officers in grades O-7 and above, or selected for promotion to grade O-7; current and former members of the Senior Executive Service; other current and former DoD civilian employees whose positions are deemed equivalent to that of a member of the Senior Executive Service (e.g., Defense Intelligence Senior Executive Service employees, Senior Level employees, and non-appropriated fund senior executives); and current and former Presidential appointees.

**Technical Services**—The investigative use of video surveillance, the interception of oral, electronic and wire communications and the installation or use of pen register and trap and trace devices.

**Technical Surveillance**—The employment of specialized equipment and techniques to conduct: lawful intercepts of oral, wire, and electronic communications, pen register, trap and trace, video surveillance, signal surveillance, and Technical Surveillance Countermeasures activities.

**Trap and-Trace Device**—A device that captures the incoming electronic or other impulses that identify the originating number of an instrument or device from which a wire or electronic communication was transmitted.

**Technical Surveillance Countermeasures (TSCM)**—Techniques and measures to detect, neutralize, and/or exploit a wide variety of hostile and foreign penetration technologies that are used to obtain unauthorized access to classified and sensitive information.

**Wire Communication**—Any aural transfer made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, 'cable, or other like connection between the point of origin and the point of reception (including the use of such connection in a switching station) furnished or operated by any person engaged in providing or operating such facilities for the transmission of interstate or foreign communications or communications affecting interstate or foreign commerce. The term includes any electronic storage of such communication.